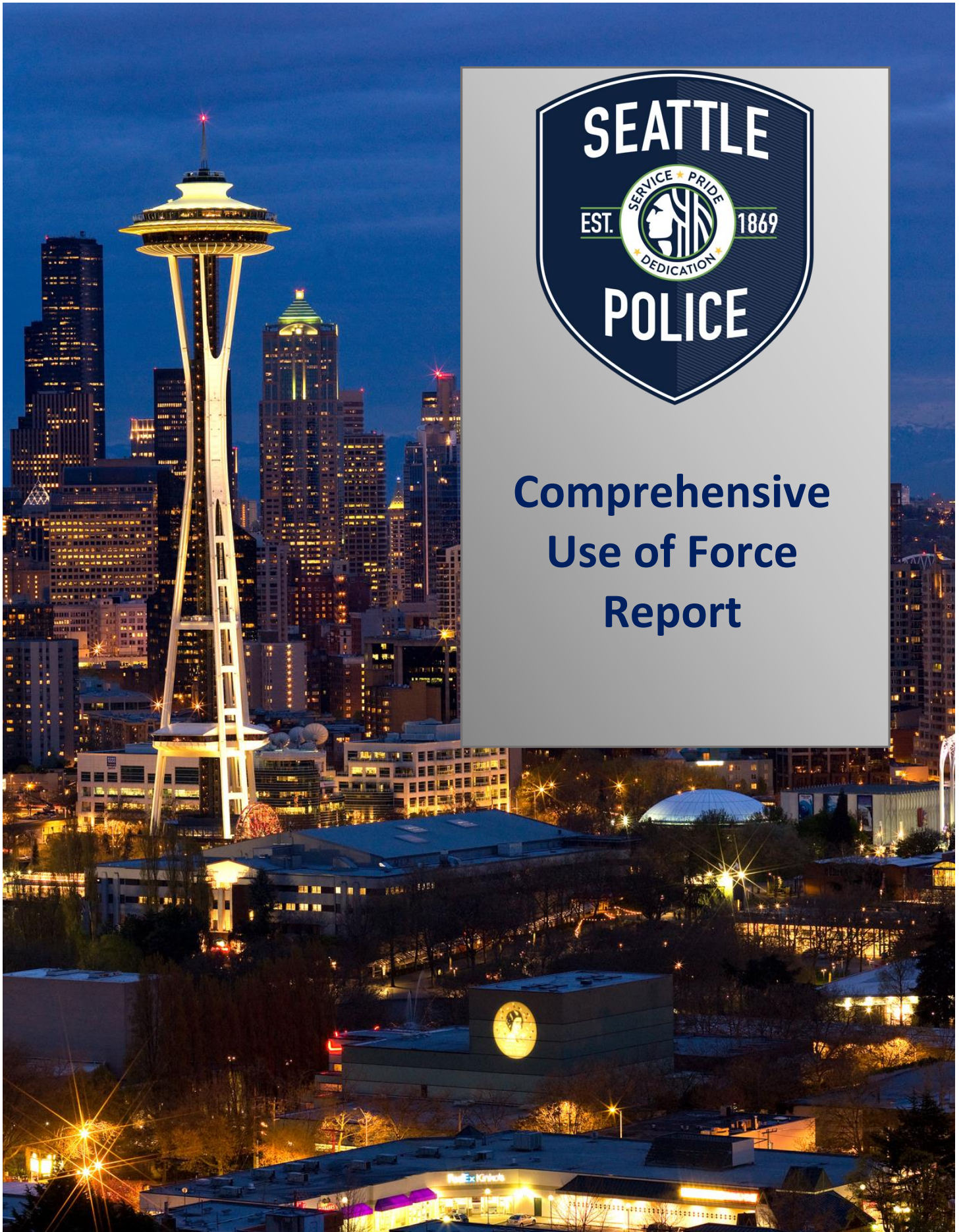


COMPREHENSIVE USE OF FORCE REPORT



Comprehensive Use of Force Report



OVERVIEW

What is in this report?

This report assesses whether the Seattle Police Department's use of force and its Force Investigation Team (FIT)'s investigation of force continue to comply with the Consent Decree. Each year, SPD publishes an annual report, providing insight into SPD's use of force for the prior calendar year. On January 31, 2019, SPD produced its annual Use of Force Report which details SPD's use of force for 2018. This report is not intended to duplicate the analysis of SPD's 2018 use of force that is detailed in the annual Use of Force Report.

In this report, SPD reviews the use of force incidents from 2018. SPD compares its use of force numbers and rates from 2018 to previous years' uses of force and the Monitor's Ninth Assessment. Utilizing the advanced analytical capability available through the Data Analytics Platform (DAP), **Section I** of this report presents aggregate statistics regarding use of force events and applications, filtered across assignment, subject demographics, call types, and other discrete measures.

Key among the findings, consistent with prior years' reports, is that the use of force overall remains rare: ***over the time period examined here, officers reported using force of any type 2,252 times, a rate of just over one quarter of one percent (0.26%) of all dispatches, and of these uses of force, as in prior years, the overwhelming majority (83%) involved no greater than the lowest type of reportable force (such as minor complaints of transient pain with no objective signs of injury, or the pointing of a firearm).***¹ ***SPD officers reported one use-of-force for every 383 officers dispatched.***

Further, the use of the most serious types of force, force that causes or may be reasonably expected to cause substantial bodily injury, remained extraordinarily rare, occurring only 25 times in 2018, .006% of all CAD events.

These findings, when compared to those of the U.S. Department of Justice (DOJ) in 2011 and the Monitor in 2017, demonstrate SPD's sustained and dramatic reduction in the use of serious force. The 2011 DOJ investigation that led to this Consent Decree found a pattern of force that was unnecessary and excessive. In his Ninth Systemic Assessment, the Monitor evaluated SPD's compliance with the provisions of the Consent Decree that address officer use of force. The Monitor determined that SPD has significantly reduced both the frequency and the level of force

¹ In calendar year 2018, 863,372 unique dispatches (responses by sworn officers) were logged in response to 400,804 unique Computer Aided Dispatch (CAD) Events. CAD is the Department's database for recording communications, including the date, time, and location of each incident, how the case was received (911 or "on-view"—an officer viewing activity and initiating a contact with an individual), the case type, and the disposition.

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used. A comparison of DOJ's 2011 findings, the Monitor's 2017 findings, and the findings of this report is instructive:

- DOJ found that there were at least 1,230 incidents involving a serious (Type II or III) use of force in the 28-month period from January 1, 2009, to April 4, 2011. DOJ Findings Letter at 4.
- The Monitor found that there 487 incidents involving a serious use of force—a sixty percent reduction—in the 28-month period from July 1, 2014, to October 31, 2016. Monitor's Ninth Systemic Assessment at 31-32, Dkt. 383.
- Since that time, SPD has maintained this reduction. There were 454 incidents involving a serious use of force in the 28-month period from January 1, 2017, to April 30, 2019.

In short, the use of force by Seattle police officers is an empirically rare occurrence, and serious uses of force are exceedingly rare. Officers continue to implement, in practice, the de-escalation training and tactics that have brought Seattle into full and effective compliance with the Consent Decree between the City of Seattle and DOJ, while maintaining a high level of engaged, proactive law enforcement activity.

In addition, this report evaluates whether SPD's use of force complies with SPD's policies corresponding to paragraphs 69-90 of the Consent Decree. SPD's Force Review Board (FRB) and Force Review Unit (FRU) conducted this evaluation and **Section II** of this report describes their findings.

This report compiles FRU's and FRB's findings for the uses-of-force they reviewed in 2018: whether the officer took reasonable efforts to de-escalate prior to using force, whether the force was reasonable, necessary, and proportional, and whether the force conformed to other Use of Force policy requirements. All force used by SPD officers is reviewed by the Chain of Command. For Type II and III force, FRU and FRB provide an additional layer of review to ensure that force applied by Seattle police officers is consistent with the mandates of Department policy. Additionally, as a forum for reviewing policies, training, tactics and equipment, the FRB provides the opportunity for experience and review to continually drive Department operations and practices. These processes of critical self-analysis help to ensure that the department is policing the community it serves effectively and constitutionally through self-regulation.

FRB is the hub of internal accountability and is comprised of a select group of SPD personnel who are specially trained to investigate officer uses of force. They review select Type I and Type II uses of force, and all Type III uses of force. The FRB meets regularly to determine whether a use of force investigation was thorough and complete, whether the force complied with SPD policy, whether any broader, systemic issues need to be addressed with respect to policy, training, tactics, equipment, or otherwise. The FRU is comprised of a captain, lieutenant, sergeant, and two detectives. This unit reviews all Type I uses of force to ensure the documentation is thorough and complete, and reviews all Type II uses of force for compliance with policy, law, tactics, and

training. Thus, all force is reviewed by the Chain of Command, and all serious (Type II and Type III) uses of force are reviewed by either FRU or FRB for compliance with policy, law, tactics, and training.

Overall, ***the FRB found that the involved officers' use of force was reasonable, necessary, proportional, and otherwise in conformance with Department's Use of Force Policy in 323, (98.4%) of the 328 instances a determination was reached.*** Across the 42 cases reviewed by the FRU, the involved officers' use of force was approved in all instances.

This report also documents the Office of Police Accountability's (OPA's) role in determining whether the force used was within policy. This report reviews the cases that were received by OPA during 2018, the number of allegations, and OPA's findings for each allegation. OPA reviewed 168 cases in 2018, involving 448 alleged violations of use of force policies. Of those 448 alleged violations, OPA "sustained" twenty allegations, comprising twelve uses of force by eleven unique officers. Of these, OPA recommended finding that six uses of force were not reasonable, necessary, and proportional; the remaining sustained allegations involved the failure to de-escalate. In context, that means out of all 2,252 uses of force in 2018, only twelve (or 0.5%) were determined to be out of policy.

These conclusions are in stark contrast to the DOJ's 2011 findings. DOJ determined that SPD used unconstitutional force in 20% of incidents involving Type II and Type III force. DOJ Findings Letter at 4. This report's findings are consistent with the progress documented by the Monitor in Phase I. The Monitor concluded then that force complied with SPD policy more than 99 percent of the time. See Ninth Systemic Assessment at 8. These 2017 findings by the Monitor supported the Court's finding that SPD had achieved full and effective compliance with the Consent Decree.

The FRU/FRB are also responsible for providing feedback related to the work of SPD's Force Investigation Team (FIT). **Section III** of this report analyzes the training and provides FRB's findings regarding the work of the Force Investigation Team, a specialized unit comprising experienced detectives, sergeants, and commanders that responds to and investigates all serious force incidents. In 2018, FIT investigated 18 Type III use-of-force incidents, including 2 officer-involved shootings. FIT also investigated four unintentional firearm discharges that did not result in any injuries, five in-custody deaths of subjects in the custody of the King County Jail or the Washington State Patrol, and one investigation of a serious criminal assault by a subject on a Seattle police officer. In SPD's Annual Use of Force Report, SPD briefly described these 28 separate events.

This report looks at those incidents from a different perspective: did FRU and FRB find that the FIT investigations were complete and compliant with SPD's policies corresponding to paragraphs 25, 102, and 112-118 of the Consent Decree? Overall, the FRB found that all of FIT's investigations met their expectations. For a number of investigations, FRB identified minor deficiencies, challenge areas, and recommended systemic improvements. However, none of

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these deficiencies impacted the FRB's ability to perform its responsibilities to determine whether a Use of Force investigation was thorough and complete; whether the force was consistent with SPD policy, training, and core principles; and ensuring the Department remains abreast of evolving best practices.

What if this report doesn't answer my questions?

The Seattle Police Department released its annual [Use of Force](#) Report in January 2019. The Annual Report goes into greater detail about SPD's use of force in 2018. In addition, SPD conducted a Type I and Type II Use of Force Reporting, Review, and Investigation Audit which was filed with the Court on July 31, 2019. The Department also continues to release to the City's open data portal, <http://data.seattle.gov>, the use of force data described in Section I of this report, and maintains updated interactive dashboards through which the public can explore for itself officers' use of force, parsed across demographic and geographic fields. The Department cautions of the inherent hazard that data can be subject to differing interpretations and lead to differing conclusions depending on the sophistication of the analysis and the potential for confirmation bias; SPD provides this data with the hope that, as new technology has created opportunity for increasingly sophisticated inquiries internally, providing greater transparency of its data externally creates greater opportunity for SPD and the community to work collaboratively to drive the policies and priorities of this department.

SECTION I: USE OF FORCE

A. Policies and Overview of Force

The Seattle Police Department's Use of Force Policies are published, collectively, as [Title 8 of the SPD Manual](#) and are available to the public on the SPD's homepage. Policy sections 8.000 through 8.200 set forth the conditions under which force is authorized, when force is prohibited, and affirmative obligations to de-escalate prior to using force, when reasonably safe and feasible to do so, and to assess and modulate force as resistance changes. While recognizing that officers are often forced to make split second decisions, in circumstances that are tense, uncertain, and rapidly evolving, this policy allows officers to use only the force that is objectively reasonable, necessary, and proportional to effectively bring an incident or a person under control. Section 8.300 addresses the use and deployment of force tools that are authorized by the Department, such as less-lethal munitions, canine deployment, oleoresin capicum (OC) spray, firearms, and vehicle-related force tactics. Section 8.400 prescribes protocols for the reporting and investigation of force; section 8.500 sets forth the process for review of force.

Force is classified and reviewed by type:

De Minimis Force - Physical interaction meant to separate, guide, and/or control without the use of control techniques that are intended to or are reasonably likely to cause any pain or injury. Examples including using hands or equipment to stop, push back, separate or escort, the use of compliance holds without sufficient force to cause pain, and unresisted handcuffing. Officers are not required to report or investigate this level of force.

Type I – Actions which “causes transitory pain, the complaint of transitory pain, disorientation, or intentionally pointing a firearm or bean bag shotgun.” This is the most frequently reported level of force. Examples of Type I force, generally used to control a person who is resisting an officer’s lawful commands, include a “soft takedown” (controlled placement), a strike with sufficient force to cause pain or complaint of pain, or an open hand technique with sufficient force to cause complaint of pain. Type I uses of force are screened and investigated by a sergeant and reviewed by the Chain of Command; the Force Review Unit (FRU) provides quality assurance.

Type II – Force that causes or is reasonably expected to cause physical injury greater than transitory pain but less than great or substantial bodily harm. Examples include a hard take-down and/or the use of any of the following weapons or instruments: conducted electrical weapons (CEWs, or Tasers), OC spray, impact weapon, beanbag shotgun, deployment of K-9 with injury or complaint of injury causing less than Type III injury, and vehicles. An on-scene (where feasible) sergeant collects available video evidence and witness statements; the evidence packet and analysis of the force is reviewed by the Chain of Command and the FRU. Cases flagged by the FRU for further inquiry, in accordance with policy criteria, plus an additional random 10% of Type II cases (already reviewed by FRU) are also analyzed by the Force Review Board (FRB).

Type III – Force that causes or is reasonably expected to cause great bodily harm, substantial bodily harm, loss of consciousness, or death, and/or the use of neck and carotid holds, stop sticks for motorcycles, and impact weapon strikes to the head. Type III force is screened on-scene by a sergeant, investigated by the Force Investigation Team (FIT), and analyzed by the FRB.

B. Quantitative Overview of Force

SPD documents its uses of force as the combination of an incident, an officer, and a subject. Depending on how many officers used force during an incident, one incident may be associated with multiple use of force reports. Officers must document *each* reportable use of force; a single incident may therefore include multiple uses of force. For example, if in the course of one incident, Officer A pointed a firearm, Officers B and C used a hard-takedown maneuver to bring a subject under control, followed by Officer A handcuffing the subject who then complained of pain, the incident would be documented as one incident, involving three officers, comprising four applications of force, two (the pointing of a firearm and subsequent complaint of pain by Officer A) would be classified as Type I, and two (the hard take-down by Officers B and C) would be

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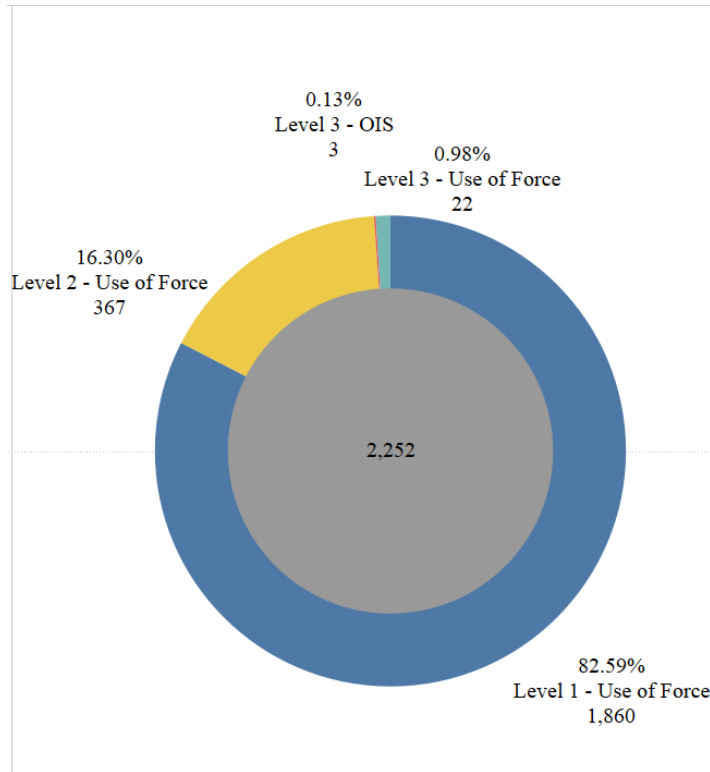
classified as Type II. Because force is investigated and reviewed at the level commensurate with the highest level of force used, the incident would be reviewed as a Type II incident

Between January 1 and December 31, 2018, officers were dispatched (either responsive to a 911 call for service or an on-viewed incident) **868,381** times in response to **400,804** unique CAD events.² Over this same period, officers reported using force at some level (Type I, II, or III) **2,252** times in association with **1,385** unique CAD events.

Viewed in the context of overall activity, this means that approximately one-quarter of one percent (0.26%) of all officer dispatches, and approximately one-third of one percent (0.35%) of CAD events, resulted in any reportable use of force.

² A "CAD event" is a unique incident, given a unique identifying number, logged in response to a call for service from the public ("dispatch") or a report from an officer in the field of an incident or event requiring their response ("on-view"). CAD Events are classified as "DISPATCH" when in response to a Call for Service and "ONVIEW" when reported by an officer in the field.

1. Use of Force by Type of Force³



**Figure 1: Force Counts by Year
(January 1 – December 31, 2018)**

Figure 1 shows the breakdown of use of force, by type, over the calendar year reported. Of the 2,252 uses of force reported during 2018, 1,860 (83%) involved no greater than low-level, Type I force. This represents an increase in Type I reporting relative to 2017, in which 76.5% of all reported force was classified as Type I. However, of the 1,860 Type I uses of force reported, a **full nine-tenths (92%) involved nothing greater than a complaint of pain alone, with no objective sign of injury**. The year-over-year increase is likely due in large part to the reporting of handcuffing discomfort as Type I force.

To address this concern, Court-approved policy revisions that went into effect in January 2019 now eliminate handcuffing discomfort as a Type I use of force, requiring it instead to be separately tracked.⁴ In addition, in 2018 the Department began using a new style of aluminum handcuffs with beveled edges and other features designed to make them less uncomfortable; the Department will track the effectiveness of this new equipment on complaints of pain in next year's report.

Type II force increased slightly in 2018 (three additional uses of force as compared with 2017), though it comprised a smaller share comprising (16.30%) of all force reported in 2018 as compared with 21.53% of all force reported in 2017.

³ Throughout this section, the figures and tables refer to "levels" of force. Levels of force are the equivalent of type of use of force. For instance, Level I is a Type I use of force; Level II is a Type II Use of Force.

⁴ In 2017, 480 of the Type I uses of force were handcuffing discomfort. In 2018, 805 of the Type I uses of force were handcuffing discomfort. As of August 3, 2019, SPD officers have reported 594 Type I uses of force and reported 503 handcuffing discomfort incidents in 2019. Under the previous policy, SPD would have reported 1,097 Type I uses of force. Initial data indicates that SPD will see a significant decrease in the Type I uses of force in 2019.

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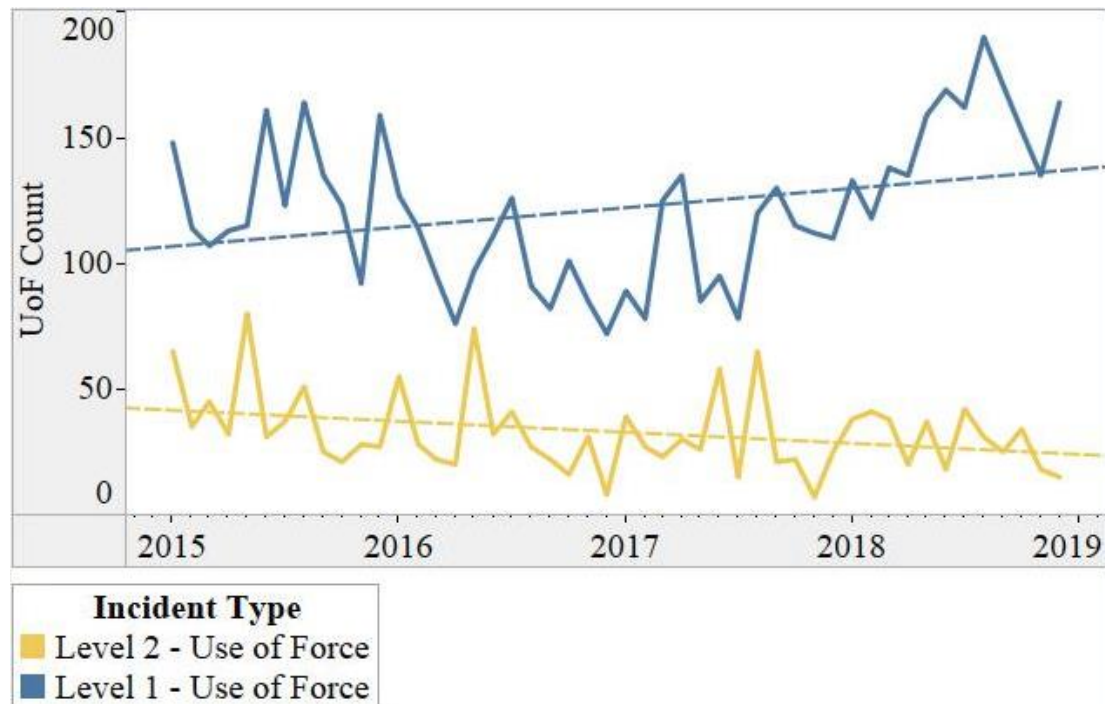
In total, 25 Type III uses of force, across 14 separate incidents, were reported in 2018. While the small number and extreme infrequency of these incidents does not lend this category to statistical trend analysis, in 2018, there were eight fewer Type III uses of force across two fewer incidents as compared with 2017.

For purposes of showing trends over time, Table 1 shows all use of force reported between January 1, 2015 and December 31, 2018; Figure 2 shows a time series analysis of use of force trends, citywide, over a five-year time period dating back to 2014.

Table 1: Use of Force Counts by Year (January 1, 2015 – December 31, 2018)

Incident Type	2015		2016		2017		2018	
	UoF Count	% Change	UoF Count	% Change	UoF Count	% Change	UoF Count	% Change
Level 1 - Use of ..	1,573		1,203	-23.5%	1,292	7.4%	1,860	44.0%
Level 2 - Use of ..	477		381	-20.1%	364	-4.5%	367	0.8%
Level 3 - Use of ..	20		20	0.0%	12	-40.0%	22	83.3%
Level 3 - OIS	15		5	-66.7%	21	320.0%	3	-85.7%
Grand Total	2,085		1,609	-22.8%	1,689	5.0%	2,252	33.3%

A time series analysis of Type I and Type II force over this four-year period, citywide, is shown in Figure 2. Type III force continues to occur so infrequently as to be considered a statistically random event and is therefore not subject to statistical trend analysis. Type I uses of force appeared graphically to be trending upwards. Whether the observed increase in Type I force in 2018 was statistically meaningful, attributable to the reporting of handcuff discomfort as Type I force, or perhaps a normal fluctuation of the data over time cannot be determined from this data set or data period.

Figure 2: Use of Force Trends Citywide (2018)

C. Use of Force – Less Lethal Devices

As defined in SPD Manual Section 8.050, less lethal devices are “devices designed and intended to apply force not intended nor likely to cause the death of a subject or great bodily harm.” Approved/Department-issued devices include conducted electrical weapons (Taser), impact weapons (baton), and Oleoresin Capsicum (OC) spray. In addition, vehicle related tactics and canine deployments are tracked as less lethal tactics; hobble restraints, which can be used to restrain a subject’s feet, and Noise Flash Diversionary Devices (NFDDs), a device typically used by SWAT which cause a large flash and a noise and are intended to disorient, but not make contact with, a subject are also tracked in this category. A breakdown of incidents involving one or more less lethal tools is provided in Table 2.

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Table 2: Less-Lethal Deployments (January 1, 2015 – December 31, 2018)

		2015		2016		2017		2018	
		Count	% Change	Count	% Change	Count	% Change	Count	% Change
Baton	Baton – Expandable – Impact	3			-100.0%				
	Baton – Expandable – Control/Pressure Point	1		2	100.0%	1	-50.0%		-100.0%
	Baton – Straight – Impact	2		1	-50.0%	1	0.0%		-100.0%
	Baton – Straight – Control/Pressure Point	2		1	-50.0%	2	100.0%	1	-50.0%
	Total	8		4	-50.0%	3	-25.0%	1	-66.7%
Canine	Canine	4		7	75.0%	8	14.3%	12	50.0%
	Total	4		7	75.0%	8	14.3%	12	50.0%
OC	Balls - OC	3		1	-66.7%		-100.0%		
	Chemical Agent – OC Spray	32		17	-46.9%	35	105.9%	10	-71.4%
	Total	35		18	-48.6%	35	94.4%	10	-71.4%
Taser	Electronic Control (ECD / Taser)	31		32	3.2%	34	6.3%	32	-5.9%
	Total	31		32	3.2%	34	6.3%	32	-5.9%
Total		77		61	-20.8%	80	31.1%	55	-31.3%

In his Ninth Assessment, the Monitor found that SPD's use of less-lethal instruments had declined significantly between July 2014 and October 2016; he noted that SPD officers used their batons 23 times in 28 months. In 2018, SPD officers reported using a baton *once, and not as an impact device*. The Monitor also noted in his Ninth Assessment that SPD officers reported using Tasers approximately seven times per month between July 2014 and August 2015. In 2018, SPD reported using Tasers 32 times, *fewer than three times per month*. Although there were four more canine deployments in 2018 than in 2017, the canine bite ratio stayed the same at 1.6%. As SPD continues to improve and evolve its tactics and de-escalation training, the use of implements continues to go down, with less-lethal tools used 31.3% less often in 2018 as compared with 2017.

SECTION II: FORCE REVIEW

A. FORCE REVIEW UNIT/FORCE REVIEW BOARD RESPONSIBILITIES

The Force Review Board is a select group of Seattle Police Department personnel who meet regularly to make determinations as to (1) whether a use of force investigation is thorough and complete; (2) whether the force was consistent with SPD policy, training, and core principles; and (3) with the goal of continual improvement and ensuring the Department remains abreast of evolving best practices, whether any recommendations are made or other issues need to be addressed with respect to policies, tactics, training, supervision, equipment, or otherwise.

The FRB is composed of standing members selected by the Assistant Chief of the Professional Standards Bureau. Only standing members of the FRB may participate in both deliberating and voting during board sessions. These standing members include one representative from the

Training Section, three representatives from the Patrol Operations Bureau, one representative from the Audit, Policy & Research Section, and one representative from the Investigations Bureau. The Captain of the Force Review Unit (or Assistant Chief of Professional Standards in the case of an officer involved shooting review) is the standing Chair and casts the final vote if the Board's vote is evenly split. A quorum of four voting members must be present for the Board to review completed cases.⁵

The FRB includes a non-voting member from the Crisis Intervention Team. The Crisis Intervention Team member answers questions and raises issues related to a subject's mental health status, services they might be receiving, as well as assisting the FRB in determining if an officer used appropriate tactics in de-escalation. Where appropriate, subject matter experts from specialty units (e.g. Canine, SWAT, Communications, or the Range) attend an FRB to answer any unit-specific questions that may arise.

Case selection for the FRB is determined by policy and handled by the Force Review Unit. Every completed Use of Force investigation is forwarded to the FRU using IAPro and Blue Team, a paperless computer system. These cases include Type I, Type II, Type III uses of force, and Firearm Discharges (both intentional and unintentional discharges). By policy, the FRB reviews all Type III cases.

The FRU, comprising a captain, a lieutenant, a sergeant, and two detectives, reviews all Type II use of force reports. FRU staff and FRB members undertake the same inquiry, and apply the same standard of review, as the FRB when reviewing cases. FRU staff and FRB members attend the same annual training involving the objective analysis of force, which ensures that the FRU is conducting a thorough review of their cases consistent with the reviews conducted by the Board.

Consistent with SPD policy, Type II cases are sent to the FRB by the FRU when any of the following factors are involved:

- Possibility of misconduct;
- Significant policy, training, equipment, or tactical issues;
- When FIT was contacted for consultation and declined to respond or investigate;
- When less-lethal tools were used on the subject;
- When a canine makes physical contact with the subject;
- When the subject is transported to an emergency room.

⁵ Other observers to the Force Review Board may include captains and higher-ranking SPD personnel, the Department's Executive Director of Legal Affairs, representatives from the City Attorney's Office, the DOJ, the Monitoring Team, the Office of the Inspector General, and a representative from OPA. In cases involving an officer involved shooting, a citizen observer appointed by the mayor's office also attend. These observers may attend FRB meetings, but they are not permitted to vote.

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All cases that do not meet the criteria for FRB review are reviewed by the FRU detectives and their chain of command. The FRU captain makes the final determination based on the FRU's reviews and recommendations. Bifurcating Type II use of force cases allows the FRB to focus its efforts on the more significant cases, such as Officer Involved Shootings, Type III investigations, and serious Type II cases. Additionally, a random 10% of cases reviewed each month by FRU are presented to the FRB for a second independent review – a mechanism to ensure quality control.

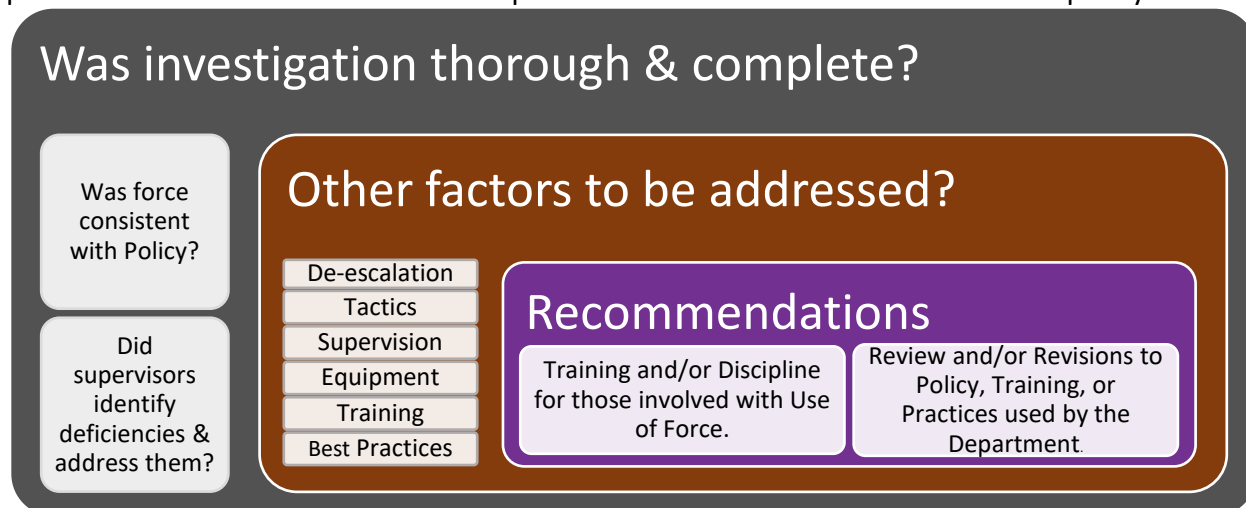


Figure 3: Force Review Protocol

Figure 3 describes the review process for both FRU and FRB. Both look to ensure that the investigation was thorough and complete, providing all material evidence. Both answer the core inquiries of whether the force was consistent with policy, including an affirmative obligation to de-escalate when safe and feasible to do so, and if there were issues with the force, and whether supervisors appropriately identified those issues. The FRU considers, and the FRB discusses, all pertinent factors surrounding the force, including the tactics used and supervision at the scene. FRU and FRB determinations are documented, and any issues identified are referred to the appropriate commander for follow-up. If policy violations are suspected, the incident is immediately referred to OPA, or to the chain of command if appropriate under Manual Section 5.002, by the FRB Chair or designee, if the incident has not already been referred by the reviewing chain of command.

It is important to understand what an FRB finding means relative to the question of whether the force was constitutional. As the United States Supreme Court has long held, whether any use of force is lawful under the Constitution is a case-specific determination, based on the perception of a reasonable officer under the totality of the circumstances present at the time the force is applied. While the courtroom is generally the forum for determining the *legality* of a use of force, the Force Review Board is a mechanism by which members analyze the broader question of whether the force meets the requirements of policy and training that hold officers to a higher standard of conduct – and care should be taken not to conflate the two. Importantly, SPD policy incorporates both federal and state constitutional thresholds, but holds officers to a substantially higher level of performance and scrutiny consistent with community expectations. Simply put, a finding that force is out of policy does *not* equate to a finding that the force violated the

Constitution, but a finding that the force was in policy *does* mean that, in the view of the reviewers, it was also lawful.

Every use of force is thoroughly and critically reviewed. While this section provides data and statistics about the frequency and distribution, it is the substantive review of each force case by the chain of command, the Force Review Unit, and the Force Review Board that determines whether force is in or out of SPD policy. If any reviewer in the chain of command or the FRU, or if the FRB by consensus, finds an indication of a policy violation, whether related to the force or otherwise, that case is required to be referred to the Office of Police Accountability for further review and a determination about whether there is any policy violation, and if so, the level of recommended discipline. In addition, the OPA Director or his designee sits in on all FRB discussions, and has the prerogative to take for further review any case regardless of whether the FRB separately refers.

B. OVERVIEW OF 2018 CASES REVIEWED BY FRU/FRB

In 2018, the Force Review Unit reviewed a total of 42 cases; the Force Review Board reviewed a total of 187 cases. (Note: “Cases” are based on a single General Offense number, or CAD event; cases may thus involve more than one officer, or more than one use of force, each of which is separately considered.) As ten percent of cases reviewed by the FRU are randomly selected for further review by the FRB, those cases are double-counted here. In total, of the 187 cases reviewed by the FRB, seven cases had also been reviewed by the FRU and are counted twice.

Table 3 shows the 187 cases reviewed by the FRB broken down by the highest force level in each case.⁶

Table 3: Breakdown of Cases Reviewed by FRB by Type⁷

Type II	167
Type III	15
OIS	4
In-Custody Death	1
Total	187

⁶ Again, completed cases are investigated and reviewed at the highest level of force used. A Type III case, accordingly, may also involve Type II or Type I force; a Type II case may also include Type I force.

⁷ The cases reviewed by FRB in 2018 include incidents that occurred in 2017; the numbers in this chart reflect the cases reviewed during 2018 and do not account for the date of the incident.

COMPREHENSIVE USE OF FORCE REPORT**C. FORCE REVIEW UNIT/FORCE REVIEW BOARD DETERMINATIONS**

In 2018, a total of 753 officers were involved in the 229 cases reviewed by FRU and/or FRB. The aggregate number of officers includes officers who were reviewed in connection with their tactics and decision-making, even if those officers did not individually apply force. The numbers below represent the number of officers involved across the cases, aggregated, and the determination by FRB and FRU as to whether each officer's actions were either approved as consistent with policy or deferred while under review by OPA.

Note: Under policy, the FRU/FRB do not make findings on any matter that is under investigation by the Office of Police Accountability. It is thus important to emphasize that, for matters listed as "deferred" to OPA, FRU/FRB made no finding as to whether the issue under consideration is in or out of policy. In addition, for all matters on which FRU/FRB makes a "disapproved" finding that the officer did not comply with policy, the case is immediately referred to OPA. After OPA conducts its independent review, then OPA makes a recommended finding to the Chief of Police, who makes the ultimate determination for the Department.

1. Use of Force

FRU and FRB analyze whether an officer's use of force was reasonable, necessary, and proportional. A breakdown of FRU/FRB determinations with respect to officers' use of force is presented in Table 4.

Table 4: Force Review Findings by Officer⁸

	FRB	FRU	Total
Approved	323	101	424
Disapproved	5	0	5
Deferred	158	0	158
Total	486	101	587

Across 187 cases reviewed by the FRB, the involved officers' use of force was found to be reasonable, necessary, proportional, and otherwise in conformance with Department's Use of Force Policy in 323, (98.4%) of the 328 instances a determination was reached. In five instances, the FRB disapproved of the use of force; in 158 instances, where a matter had been referred to OPA prior to FRB review, the FRB determination was deferred, per policy, to OPA. Across the 42 cases reviewed by the FRU, the involved officers' use of force was approved in all instances.

⁸ Each of the counts in Tables 4 through 6 represents a finding on an individual application of force by an officer. As noted above, a "case" can involve multiple applications of force by multiple officers.

2. De-Escalation

The Department's de-escalation policies require officers to de-escalate a situation where safe and feasible to do so, within law enforcement priorities, prior to using force. A breakdown of FRU/FRB determinations with respect to officers' efforts to de-escalate is presented in Table 5.

Table 5: Did Officer Make Reasonable Efforts to De-Escalate

	FRB	FRU	Total
Yes	383	82	465
No	5	0	5
Not Feasible	172	40	212
Deferred	23		
Total	583	122	705

The FRB reviewed the de-escalation efforts of 583 officers. The FRB found that only five officers, less than 1%, did not de-escalate as required. In addition, the FRB found that 383 officers, or 66% did attempt to de-escalate, and de-escalation was not feasible for 172 officers, or 30% of officers. In 23 instances, the determination was deferred pending review by OPA. Of the 42 cases reviewed by the FRU, the involved officers' tactics and decision making were approved in all of the 122 instances considered. In considering FRU findings, however, it should be remembered that FRU has an obligation to refer to the FRB any Type II case that may involve misconduct or significant policy or tactical issue; as it is the FRB findings that are recorded as the determination of the case, these numbers should not be surprising.

D. REFERRALS TO OPA BY FRU/FRB

SPD chain of command regularly refers potential policy violations to OPA before the case reaches FRU/FRB. Also, FRU and FRB have an obligation to refer to OPA any serious policy violation, including any violation around use of force, unless already referred by the chain of command. In addition, the OPA Director sits on the FRB, and can independently take any case for further investigation. While OPA will separately report out on its intakes, investigations, and determinations for 2018, a breakdown of FRU/FRB OPA referrals is presented in Table 6. It should be noted that the numbers reported below refer only to referrals made by the FRB or FRU; they do not include OPA referrals from the reviewing chain of command, subjects, or by third-party complainants.

Table 6: OPA Referrals

	FRB	FRU	Total
ICV	2	0	2
Use of Force	8	0	8
Other	14	1	15
Total	24	1	25

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As shown, a total of 24 OPA referrals were made, eight of which were related to potential violations of the use of force policy (which includes de-escalation). Two related to a violation of the ICV policy; an additional 14 related to other, non-force-related policies. Again, because FRU is required to refer to the FRB any Type II cases that involve a potential force-related policy issue or misconduct, the absence of any referrals regarding the use of force from FRU to OPA is to be expected.

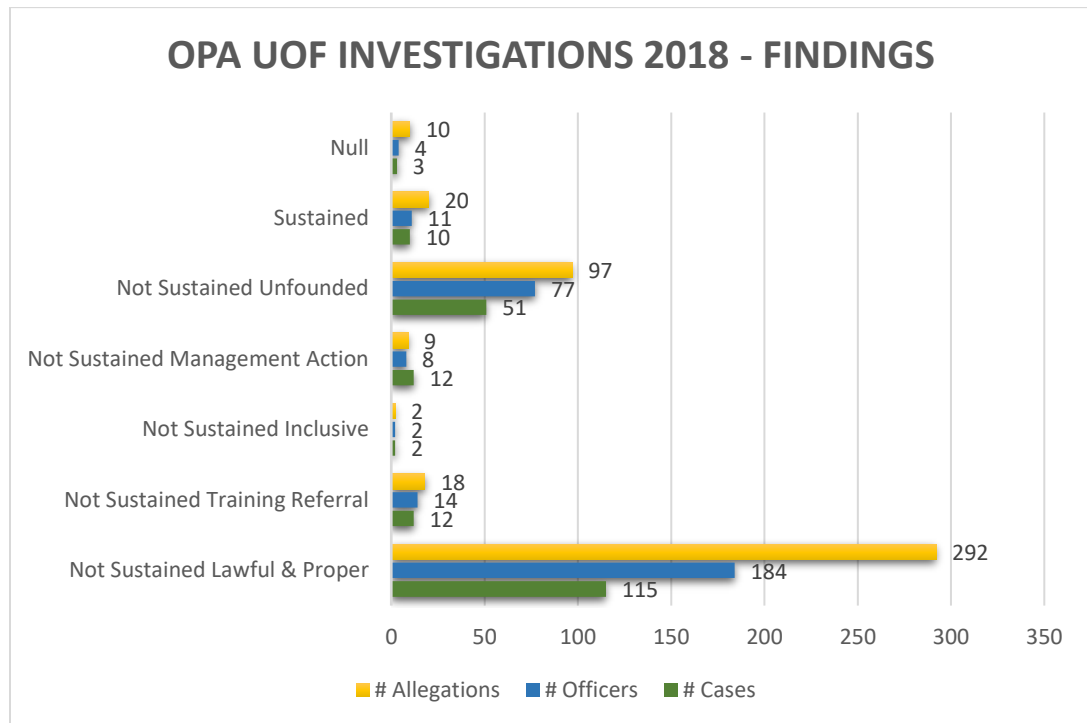
OPA INVESTIGATIONS AND RECOMMENDED FINDINGS ON ALLEGATIONS OF FORCE-RELATED MISCONDUCT

The Office of Police Accountability has authority over allegations of misconduct against SPD employees. OPA receives complaints from members of the public as well as referrals from SPD, as referenced above. OPA investigates these complaints and, depending on the outcome of its investigations, makes recommended findings to the Chief of Police. OPA documents the initiation, classification, and recommended findings for all complaints or referrals it receives in its electronic case management system, IAPro, the same system utilized by the FRU, though FRU does not have access to OPA's investigations.

From all sources—including community member complaints as well as FRB, FRU, and SPD chain of command referrals—OPA received 168 cases, involving 240 unique officers and 448 allegations of violations of the SPD's Use of Force Policies in 2018.⁹ Table 7, below, breaks down OPA's findings for use of force cases it received in 2018. Out of 448 allegations of violations of the Use of Force Policies in 2018, OPA sustained twenty allegations – less than 4% of all allegations. The sustained allegations were associated with 12 uses of force and eleven unique officers.¹⁰ That is, only twelve uses of force by eleven officers out of 2,252 uses of force and nearly 1400 sworn personnel were found by OPA to have violated SPD's Use of Force Policies in 2018. See table 7, below.

⁹ As of October 28, 2019, OPA was still investigating 10 allegations of use of force violations. Because OPA has not made any official findings in these allegations, they are not included in this analysis.

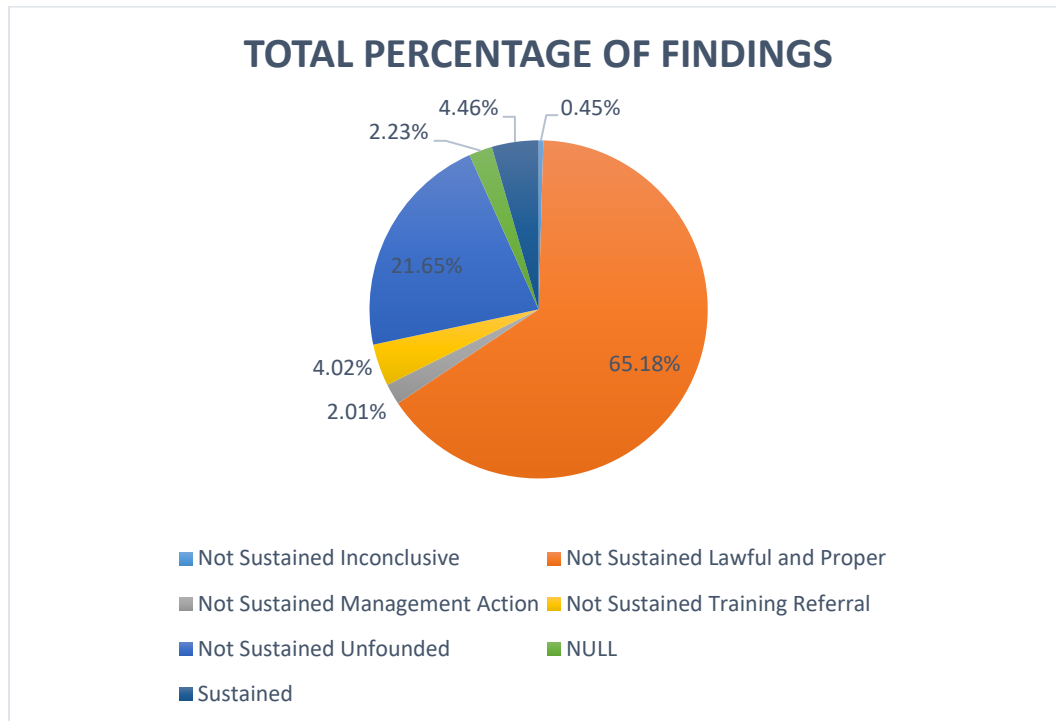
¹⁰ The total number of sustained allegations is higher, because some uses of force and some officers had sustained allegations for violations of multiple different policy provisions.

Table 7: OPA Findings 2018

OPA also found that 87% of all use of force allegations were either unfounded or not sustained because the officers' actions were lawful and proper. See Table 8, below:

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Table 8: OPA Findings based on Allegations in 2018



In short, while each alleged violation of SPD's Use of Force Policies is investigated and reviewed by OPA, overall the number of "sustained" violations by Seattle police officers continues to be very rare. These findings demonstrate that officers continue to implement, in practice, their training and the use of force policies that have brought Seattle into full and effective compliance with the use of force principles set forth in paragraphs 69-90 of the Consent Decree.

As described above, the overall rate of force used by SPD officers continues to be extremely low. When compared to the findings of the Monitor's Ninth Systemic Assessment (Dkt. 383 at 2-4), the rates of Type III force, Taser use, and baton use have continued to decline. Critically, out-of-policy force is exceedingly rare. Across 187 cases reviewed by the FRB, the involved officers' use of force was found to be reasonable, necessary, proportional, and otherwise in conformance with Department's Use of Force Policy in 323, (98.4%) of the 328 instances a determination was reached. In addition, the FRB reviewed the de-escalation efforts of 583 officers and found that only five (less than 1%) unique officers did not de-escalate as required.

OPA's findings also demonstrate sustained compliance with the requirements at paragraphs 69-90 of the Consent Decree. Only eleven officers out of nearly 1400 sworn personnel were found by OPA to have violated SPD's Use of Force Policies, including the de-escalation policy.

SECTION III: FORCE INVESTIGATION

A. INVESTIGATION OF TYPE III USE OF FORCE

Investigation of Type III uses of force, including officer involved shootings (OIS), are governed by Manual Sections 8.400 and by the FIT Manual, a comprehensive guide for conducting thorough, complete investigations, interviews, and analysis.

The Force Investigation Team is responsible for investigating all Type III uses of force by Seattle officers. FIT also investigates serious assaults against officers, any discharge of a firearm by an officer, in-custody deaths (both within SPD custody or, by agreement with the King County Jail, any deaths occurring in the jail, while in the custody of the King County Jail, or within 72 hours of release of the jail), and any use of force incident in which the supervisor believes there was misconduct in the application of the force.

FIT consists of a captain, a lieutenant, a sergeant, and six detectives. The team is deliberately decentralized from SPD headquarters, and is instead located in the same building as the Crime Scene Investigation Unit and the State Crime Lab at Airport Way Center. This location facilitates ease of access to the Evidence Section, the Crime Lab, the Photo Lab.

Table 9 shows a breakdown of total FIT responses from 2014 to 2018. Response total reflects all responses by the FIT team, including non-force-related incidents (e.g., assisting an outside agency, in-custody death, or assault on officer investigation). The number of officers reflects the total number of officers who used force at any level (Type I, II, or III) across all incidents investigated by FIT; because each force case is investigated according to the highest level used in that incident, one FIT case can include multiple uses of force at lower levels as well.

Table 9: Total FIT Responses (2014-2018)

Year	Responses	Number Of Officers	OIS (Fatal)	Returned to Patrol	In-Custody Death	Unintentional Discharge	Potential Misconduct
2014	46	70	9 (5)	8	2	3	2
2015	26	50	5 (2)	3	2	3	2
2016	32	49	4 (2)	4	1	2	2
2017	26	49	6 (3)	3	5	1	1
2018	28	61	2 (2)	0	5	4	4

Of the 28 incidents that FIT investigated in 2018:

- Fourteen involved Type III use of force by one or more Seattle Police Officers, two of which were Officer Involved Shootings (OIS), both of which were fatal;
 - Four involved force that, after investigation, was reclassified as Type II;
 - Four were unintentional firearm discharges that did not result in any injuries;
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- Five concerned an in-custody death, four of which involved subjects in King County Jail custody, and one of which involved a subject in Washington State Patrol custody (none involving any SPD use of force);
- One required FIT to investigate a criminal assault by a subject on a Seattle Police Officer.

B. FIT INVESTIGATIONS 2018

This report provides the findings of the FRB which critically examines the work of the Force Investigation Team. The Force Review Board analyzes the investigations of the Force Investigation Team and raises concerns and provides feedback for FIT investigations. The FIT investigations that pertain to this report are investigations of the use of force by SPD officers in 2018. This review compiles the results of FRB's findings related to issues with the scene prior to FIT's arrival, scene control and processing, interviews of involved persons, implications for training, policy, and equipment as identified by FIT, presentation to the FRB, issues identified by the FRB regarding the FIT investigation, and whether FIT personnel were subjects of OPA investigations.

Of the 18 FIT investigations involving SPD uses of force in 2018, the FRB found the following:

1. Issues Prior To FIT's Arrival On-Scene:

Of the 18 cases, 6 were approved with no issues. 12 had minor issues, including:

- In an officer involved shooting case, the patrol supervisors did not read the Public Safety Cards to the involved officers in a timely manner
- In a reported loss-of-consciousness incident, the sergeant screened the use of force with both involved officers at the same time
- In two cases, incident scenes were not completely controlled prior to FIT's arrival
- In two cases, the supervisor had not Mirandized the subject on the audio recording
- In two cases, statements from officers lacked some details and descriptions of the incidents
- In 3 cases, the supervisors received an OPA referral
 - One sergeant mis-categorized the type of force, identifying it as Type II when it was actually a Type III
 - One sergeant failed to respond to the scene
 - One sergeant did not properly screen the use of force
- In one canine case, the sergeant did not properly screen the arrest and document the screening
- In one case, the duty captain screened an incident with SWAT while missing information

- In one case, the sergeant did not accurately describe the force nor screen properly with FIT, resulting in a delayed call-out response
- In one case, an on-duty sergeant volunteered as a Seattle Police Officers' Guild representative for the involved officer rather than fulfilling their tasks as an on-duty sergeant.

The FRB noted that ***none of the above issues were material to the case***, nor did they impact the effectiveness or quality of the FIT investigation or the outcomes of the FRB's findings. The FRB did not find any issues with the other 6 cases.

2. Scene Investigation:

- In 12 of the 18 FIT investigations, FIT responded to the scene and took proper scene control. Of the 6 remaining investigations, FIT's response to the incident was delayed for various reasons, such as the severity of the subject's injuries was not identified until the subject arrived at the hospital and the scene had been cleared;¹¹
- The FIT detectives did a thorough canvas for private video cameras in all 18 cases, even if FIT detectives were not called to the initial scene. FIT detectives collected all relevant, private video.

3. Follow-Up Investigation:

- In 13 of the 18 cases, FIT recorded their interviews with the subjects. In the other 5 cases, subject interviews were not possible as two subjects were deceased, and 3 were unavailable. The FIT detectives photographed the subject's injury in 16 cases. In the two cases where photographs were not obtained, the subjects were deceased, and SPD relied upon the photos provided by the King County Medical Examiner's office.
- In all 18 cases, the FIT detectives thoroughly canvassed for civilian witnesses, and located and interviewed civilian witnesses in all but two of the cases.
- Of the 18 FIT investigations, FIT detectives interviewed involved officers and significant witness officers in-person, and FIT obtained written statements obtained from other witness officers. FIT took or obtained photographs for all officer injuries.

¹¹ If an injury is identified as a Type II, FIT is not required to respond. Some Type III injuries are not realized until at the hospital where for example, a sore finger can be x-rayed and learned to be fractured, thereby requiring a FIT response.

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4. Evidence:

- In each of the 18 cases, FIT detectives collected, documented, and analyzed all relevant evidence. In each case, all scenes were photographed even if the FIT response was delayed. FIT detectives secured and downloaded all in-car video and body-worn video.

5. Case Completion:

- In four of the 18 cases, FIT detectives completed their investigations in the allotted time. Of the 14 investigations that required additional time, the Assistant Chief granted extensions, consistent with policy, which were documented in the case files.

6. Case Thoroughness and FRB Review:

- All 18 FIT cases were found to be complete and contained all basic information. More importantly, all material information needed for the Force Review Board's review was included. FRB concluded that each FIT interview of the involved officers included all material questions and appropriate follow-up questions.
- In each of the 18 FIT cases, the FRB determined the FIT presentations at the FRB were neutral and included all relevant material for the FRB. Of the 18 cases reviewed, the FRB found only two cases with minor issues related to the FIT investigation.
- Lastly, the FIT investigation is charged with identifying issues or deficiencies in Department Training, Department Policy, and Equipment. In seven of the 18 cases, FRB noted that FIT had requested either additional research and review on existing policies or identified issues not addressed by policies. In 16 cases, FIT identified issues related to equipment malfunctions or defects.

Overall, the FRB found FIT's investigations met their expectations. While minor deficiencies were noted, ***none of these deficiencies impacted the FRB's ability to perform its responsibilities to determine whether a Use of Force investigation was thorough and complete; whether the force was consistent with SPD policy, training, and core principles; and ensuring the Department remains abreast of evolving best practices.***

These findings demonstrate that FIT has continued to thoroughly examine Type III officer uses of force consistent with SPD policy and the terms of the Consent Decree. ¶¶ 95, 102, 114-118.

C. FIT TRAINING

The Consent Decree requires that FIT personnel must possess the skills and expertise necessary to investigate and identify unlawful or out-of-policy force and to adequately inform the Force Review Board of their investigations. During the first phase of the Consent Decree, the Monitor approved the policy governing FIT, the FIT manual, and FIT training. Since then, SPD has continued to improve upon the training for its FIT detectives. In its FIT policy, SPD recognizes that “FIT investigations must be thorough, unbiased, and objective reviews of the Seattle Police Department’s most serious use of force incidents. To accomplish this, FIT must be staffed with experienced investigators who are trained in the technical aspects of homicide investigations, the specifics of force applications, and the methods and practices necessary to conduct high quality administrative investigations.” FIT Manual, Administration, Section I. The FIT manual outlines mandatory training, but notes that “the specific courses [identified in the manual] used to fulfill the different aspects of the required training will likely change over time as better training is identified, and as some courses cease to be offered.” FIT Manual, Administration, Section II.

SPD has reviewed the training received by its FIT detectives and the training manual. Each new FIT detective is required to complete in-service training on cognitive interview techniques, conducted by senior FIT detectives, photography by SPD’s video unit, and crime scene processing by SPD’s CSI. In 2018, SPD’s FIT officers, from Captain to Detectives attended the WAHA Officer Involved Shooting Investigations Training, SPD’s internal FRB training, the Force Science Certification Course, the California Homicide Investigation annual training, and forensics training, along with the mandatory training that each SPD sworn officer is required to attend. In addition, this year FIT provided training to its detectives on audio processing using a new software program.

SPD is continuously seeking to ensure its FIT detectives have the most up-to-date training available so they are well-equipped to thoroughly and impartially investigate their fellow officers. In 2019, one of the FIT detectives will be attending the PEACE¹² training to become a certified trainer in this field and will provide in-service training for new detectives, ongoing training for current detectives, and training for the department as required. Another FIT detective has attended multiple trainings on video forensics. He is currently certified nationally as a video analyst under LEVA (Law Enforcement and Emergency Services Video Association). He will provide initial training for new detectives on the capabilities and limitations of video evidence, provide ongoing refresher training for current detectives and the

¹² PEACE is an interviewing technique. It stands for Preparation and Planning, Engage and Explain, Account, Closure and Evaluate (PEACE).

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department as requested. In addition, in collaboration with the Office of the Inspector General, the Community Police Commission, and the Office of Police Accountability, SPD will be bringing a new investigating interview training to the department. FIT detectives will be participating in this training.

These findings demonstrate that FIT personnel and policies continue to comply with the training and qualification requirements of paragraphs 115 and 116 of the Consent Decree.

D. OPA INVESTIGATIONS AND RECOMMENDED FINDINGS ON FIT INVESTIGATIONS

OPA did not receive any cases involving allegations against FIT officers in 2018

CONCLUSION

As explained in the Monitor's Ninth Systemic Assessment, lowering the overall rate of force is not a requirement of the Consent Decree, and overall numbers by themselves do not establish whether the Consent Decree's force requirements have become effective in practice. Dkt. 383 at 7. That being said, SPD agrees with the Monitor that the overall level and rate of force are important components of the Department's interactions with the public. In addition to the Consent Decree reports such as this one, SPD annually publishes a report with detailed use of force data.

This report finds that the use of serious force continues to be far lower (by more than 60%) than the level found in the 2011 DOJ investigation which led to this Consent Decree. (It is not possible to compare low level Type I force to pre-Consent Decree numbers, because SPD did not gather data on Type I force before the Consent Decree.) All force, including overall levels of force as well as the rate of force relative to contacts with the public, has remained rare and consistent with the findings in the Monitor's Ninth Systemic Assessment of Phase I. These numbers demonstrate that the Department continues to use force rarely and that the number of serious uses of force has continued to decline.

The Consent Decree imposes extensive substantive requirements with respect to how force is used. ¶¶ 69-90. In this area, SPD has gone far beyond sustained compliance and demonstrated extraordinary progress. Before the Consent Decree, DOJ determined that 20% of SPD's Type II and III force incidents were unconstitutional. In 2017, the Monitor found that fewer than 2% of force incidents violated SPD policy. See Ninth Systemic Assessment at 8. That progress is even

more striking than it might first appear, because SPD policy sets a much higher bar than the minimum requirements imposed by the Constitution. SPD demonstrates in this report that it continues to improve upon its record of using only the force that is reasonable, proportional, and necessary under the circumstances.

In addition, the Force Investigation Team continues to perform timely, thorough, and rigorous investigations of the most serious uses of force in compliance with the Consent Decree. ¶¶ 95, 102, 114-118.

ADDITIONAL LINKS

The Department remains committed to providing the public with as much transparency and accessibility into its data as it can within the bounds of the privacy interests of the community we serve. Additional information queries can be explored relating to stops and detentions, use of force, crisis responses, and crime statistics at <http://www.seattle.gov/police/information-and-data>.

VALIDATION – DOJ AND MONITORING TEAM REVIEW

In Phase I of the work of under the Consent Decree, DOJ and the Monitoring Team reviewed SPD's compliance with the requirements of the Consent Decree through 10 assessments, covering the roughly six topic areas of the Consent Decree: force investigation and reporting, crisis intervention, supervision, Early Intervention System ("EIS"), use of force, and stops and biased policing. By the end of 2017, the Monitoring Team and DOJ found the City of Seattle to be in compliance with each area. On that basis, the Court issued a finding of "full and effective compliance" with the requirements of the Consent Decree. By the terms of the Consent Decree, the City of Seattle is now required to demonstrate that it can sustain compliance with those requirements for a period of two years.¹³

During Phase II of the Consent Decree work, the City of Seattle has taken over the lead role in conducting assessments of the six core topic areas of the Consent Decree. By taking this lead role, SPD must demonstrate not only sustained compliance, but also a willingness and ability to

¹³ Although the Court found that the City has fallen partially out of full and effective compliance with the Consent Decree in its May 21, 2019 Order, the Court did not find that the City has fallen out of compliance in any area covered in the Phase II Sustainment Plan. See Dkt. 562 at 2. The Court indicated that it "remains hopeful that the City can complete these assessments and discharge these areas of the Consent Decree within the two-year sustainment period." *Id.* These assessments, and DOJ's and the Monitoring Team's review of these assessments, are therefore unaffected by the Court's May 21, 2019 Order.

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critically self-assess their own progress in these areas, which are central to effective and constitutional policing.

This does not mean, however, that the work of DOJ and the Monitoring Team is done. In Phase II, DOJ and the Monitoring Team are reviewing the City's proposed methodologies for each audit and are conducting their own independent analysis or "look behind" the City's review.

For this audit, DOJ and the Monitoring Team consulted with SPD and ultimately approved the methodology used by SPD in conducting its own self-assessment. DOJ and the Monitoring Team requested and received a randomly generated sample of force case files for the time period from January 1, 2018 through December 31, 2018. The sample set was comprised of 53 Type I use of force case files; 50 Type II use of force case files; and 14 Type III use of force case files. DOJ and the Monitoring Team, together with their subject matter experts, reviewed these case files for compliance with the terms of the Consent Decree relating to officers' use of force and its intersection with SPD's policies and training regarding the same. DOJ and the Monitoring Team subsequently conferred about their findings and, based on their Phase II reviews, concluded as follows:

- Out of the randomly selected sample of force incidents, DOJ and the Monitoring Team determined that all but two were reasonable, necessary, and proportional. The City of Seattle has demonstrated that it has sustained compliance with the requirements of the Consent Decree, including uses of force by SPD officers over time and across incidents, and in subsequent investigation and review of the uses of force by the chain of command, consistent with SPD's policies and training regarding the same.
- DOJ and the Monitoring Team noted generally satisfactory investigation and review of the underlying use of force by the chain of command, including identifying and making appropriate referrals for additional officer training, or referrals to the Office of Police Accountability, where necessary.
- Similarly, the Force Review Board and Force Review Unit appropriately and thoroughly reviewed uses of force to confirm that SPD officer made reasonable efforts to de-escalate prior to using force, that the use of force was reasonable, necessary and proportional, that reporting and investigation of the use of force by the chain of command was complete and timely, and to determine whether the use of force ultimately complied with SPD policies and training.
- The caliber of investigations conducted by the Force Investigation Team was also satisfactory. FIT detectives consistently took control of a scene upon arrival and canvassed the area for witnesses and privately-owned video. The FIT detectives generally asked the relevant material questions during their interviews with officers

and witnesses. The FIT presentations to the FRB contained the material information needed for the Board's review and deliberation, and appropriately identified issues related to training, policy, and equipment.

In the interest of continuous improvement, however, DOJ and the Monitoring Team offer the following technical assistance to SPD based upon issues spotted during their respective reviews. Although none of these issues rose to the level of systemic non-compliance with the terms of the Consent Decree, DOJ and the Monitoring Team encourage SPD to give attention to these matters going forward:

- DOJ and the Monitoring Team had concerns with the cases in our sampled review set involving police use of canines. In each of the cases reviewed, there were one or more issues related to: the decision to deploy the canine, the length of the canine bite, and the lack of an appropriate warning announcement to notify a subject that a canine was being deployed. With technical assistance from the Monitor, SPD had already recognized these issues and had recently revised its canine policy and manual in response. SPD believes the revised canine policy and training manual will improve the quality of canine deployments going forward. Additionally, SPD has conducted off-site training for its canine unit, and made changes to the canine unit's oversight, leadership, and reporting obligations. It is our understanding that the Office of Inspector General is also planning to conduct an audit of the canine unit in the coming months. Additionally, we suggest that, to the extent it is not already doing so, SPD track deployment and bite statistics, including bite ratios, across the department's canine handlers. This data could provide information about any developing patterns about the canines and their handlers.
 - In several of the cases reviewed by DOJ and the Monitoring Team, it appeared that attempts at de-escalation were not always present or there was a lack of understanding of what constitutes de-escalation. For instance, an officer simply giving commands to a subject is not de-escalation under SPD policy 8.100. In one of these cases, the failure to understand de-escalation was identified by the Office of Police Accountability and referred back to SPD as a management action. SPD subsequently incorporated OPA's recommendation into the most recent revisions to the use of force policies. We would additionally suggest that SPD continue to emphasize de-escalation in its training, making sure officers understand what kinds of communication qualify as attempts at de-escalation.
 - DOJ and the Monitoring Team were concerned that, in some instances, a sergeant who ordered or supervised the use of force also took a role in investigating and reviewing that same use of force. SPD indicated it had recognized this issue and was deploying additional sergeants to address this concern.
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- In a majority of the Type II cases we reviewed, the chain of command requested and received extensions to complete their investigation and review of the use of force. Under current policy, all use of force reports must be forwarded to the Force Review Unit within 30 calendar days of the date the force was used. SPD may want to consider changing this policy to allow 40 calendar days for the chain of command to complete its investigation and review of the use of force.